

PROB 12B
(7/93)

FILED
2009 OCT 14 AM 11:07
CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY [initials]
DEPUTY

UNITED STATES DISTRICT COURT

for

WESTERN DISTRICT OF TEXAS

Request for Modifying the Conditions or Term of Supervision with Consent of the Offender

(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Maurice Smith

Case Number: A-08-CR-031(3)-LY

Name of Sentencing Judicial Officer: The Honorable Lee Yeakel, United States District Judge,
Western District of Texas-Austin Division

Date of Original Sentence: May 9, 2008

Original Offense: Conspiracy to Commit Interstate Transportation of Stolen Property in violation
of 18 U.S.C. §§ 2314 & 371

Original Sentence: Imprisoned for twelve (12) months and one (1) day, followed by a three (3) year
term of supervised release. Special conditions: no credit charges without approval or new lines of
credit; financial disclosure; asset disclosure; and \$448,364.10 Restitution (joint and several).

Type of Supervision: Supervised Release

Date Supervision Commenced: April 30, 2009

PREVIOUS COURT ACTION

None.

PETITIONING THE COURT

[] To extend the term of supervision for ____ years, for a total term of ____ years.
[X] To modify the conditions of supervision as follows:

The defendant shall pay the balance of the restitution at the rate of not less than \$100, per month due
by the 15th of each month beginning November 15, 2009.

Maurice Smith
Request for Modifying the
Conditions or Term of Supervision
with Consent of Offender
Page 2

CAUSE

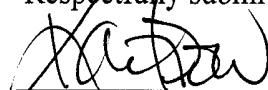
The aforementioned was ordered to pay restitution (joint and several) in the amount of \$448,364.10. He has satisfied \$695 of his restitution obligation; his outstanding balance is \$447,769.10. Therefore, a payment schedule is requested by the Court in compliance with U.S. v. Albro, 32 F.3d 173 (5th Cir. 1994).

Assistant U.S. Attorney Matthew Devlin has been notified.



Francisco A. Peralta
Supervising U.S. Probation Officer
Date: 10/13/09

Respectfully submitted,



Kathleen Dow
U.S. Probation Officer
Date: _____

THE COURT ORDERS:

No Action
 The Extension of Supervision as Noted Above.
 The Modification of Conditions as Noted Above.
 Other


Honorable Lee Yeakel
U.S. District Judge

Date: October 14, 2009.

PROB 49
(3/89)

United States District Court

for

WESTERN DISTRICT OF TEXAS

**Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Terms of Supervision**

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

The defendant shall pay the balance of the restitution at the rate of not less than \$100, per month due by the 15th of each month beginning November 15, 2009.

Witness: Kathleen Dow
Kathleen Dow
U.S. Probation Officer

Signed: Maurice Smith
Maurice Smith
Defendant

10-13-09

Date

PROB 49
(3/89)

United States District Court

for

WESTERN DISTRICT OF TEXAS

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of Probation/Supervised Release or Extend Terms of Supervision**

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I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

The defendant shall pay the balance of the restitution at the rate of not less than \$100, per month due by the 15th of each month beginning August 15, 2009.

Witness:


Kathleen Dow
U.S. Probation Officer

Signed:


Maurice Smith
Defendant

8/6/09

Date